



S/N

10/547,535

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KITTAKA, et al. Examiner: Unknown
Serial No.: 10/547,535 Group Art Unit: Unknown
Filed: August 31, 2005 Docket: 10873.1764USWO
Title: WAVEGUIDE ELEMENT USING PHOTONIC CRYSTAL

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 15, 2005.

By: *Peggy Kerkhove*
Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Applicant wishes to call the Examiner's attention to co-pending U.S. Patent Application Serial No. 10/547,828, filed September 2, 2005. A copy of the specification for the afore-mentioned application is enclosed.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. §1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each foreign document or other information listed on the enclosed Form 1449 is provided. As this application was filed after June 30, 2003, a copy of each U.S. Patent Document listed on the enclosed Form 1449 is not provided. Applicants believe that the references from the International Search Report are available to the Examiner, and therefore copies are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §(a)(3)):

US 2002/27655 is an English equivalent of JP 2002-236206, US 2003/142385 is an English equivalent of JP 2003-215362 and 2003/184845 is an English equivalent of JP 2003-287633. Partial English translations have been included for all foreign language articles.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-3478.

Respectfully submitted,

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By: _____

Douglas P. Mueller
Reg. No. 30,300

Dated: November 15, 2005

DPM/pjk

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PATENT TRADEMARK OFFICE

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)			Docket Number: 10873.1764USWO	Application Number: 10/547,535
			Applicant: KITTAKA, ET AL.	
			Filing Date: August 31, 2005	Group Art Unit: Unknown

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O P I E
P A T E N T & T R A D E M A R K S O C I E T Y
U. S. P A T E N T & T R A D E M A R K O F F I C E*

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/27655	March, 2002	Kittaka, et al.			
	2003/142385	July, 2003	Kittaka, et al.			
	2003/184845	October, 2003	Kittaka, et al.			
	2004/8437	January, 2004	Kittaka, et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	2002-236206	August, 2002	Japan				
	2003-215362	July, 2003	Japan				
	2003-287633	October, 2003	Japan				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Ohashi, et al., "Latest Technological Trend of Communication Optical Fiber", O Plus E, vol. 23, no. 9, pp. 1061-1066, 2001 (w/partial translation)
		Knight, et al., "New regimes for fiber optics using photonic crystal fiber", Optical Society of America Annual Meeting 2002, Conference Program, WA 3, p. 94, 2002
		Joannopoulos, et al., "Computing Photonic Band Structures", Photonic Crystals, Princeton University Press, 1995
		Plihal, et al., "Photonic band structure of two-dimensional systems: The triangular lattice", Physical Review B, vol. 44, no. 16, p. 8565, 1991
		Fink, et al., "Multilayered photonic bandgap fibers for high-power laser applications", Photonics West, Technical Summary Digest, C4993-04, p. 383, 2003
		Optical Fiber Communication 2002, Technical Digest, ThK4, P. 468-469
		Shoten, et al., Microoptics Handbook, p. 224 (w/partial translation)
		Kittaka, et al., "Simulations of wave propagation in one-dimensional photonic crystals", The Japan Society of Applied Physics, 2a-ZN-1, p. 949, 2003 (w/partial translation)

52835 PATENT TRADEMARK OFFICE	EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.		